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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,685	03/25/2002	David Horne	DY0UP218US	7427

7590                    11/12/2003

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[REDACTED] EXAMINER

JACKSON, ANDRE L

ART UNIT	PAPER NUMBER
3677	

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/889,685	HORNE ET AL.
Examiner	Art Unit	
Andre' L. Jackson	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 31 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>11</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### **Claim Objections**

Claim 1 is objected to because of the following informality: In claim 1, line 6, the phrase “... a second position in which second position” is unclear. Here the Examiner suggests the phrase -- a second position, where in the second position --. Appropriate correction is required.

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 3,564,978 to Flitz. Flitz discloses a hinge connection comprising a hinge arm (40) having a hinge pin (46) at an end thereof; and a hinge recess (22) including a hinge hole (28) for receiving the hinge pin and having a corner for guiding the hinge arm to a first position at which the hinge arm is seated in the corner and from which the hinge arm is slidable relative to the hinge recess along the corner towards a second position, where in the second position the hinge pin is inserted in the hinge hole while unseating the hinge arm from the corner (Fig. 2); and wherein the end of the hinge pin has a chamfer (Fig. 1) and the hinge hole is arranged relative to the corner such that, during movement from the first position to the second position, the chamfer guides the hinge arm out of seated engagement with the corner of the recess.

As to claims 2-5 and 12, as seen in Fig. 3, the hinge arm comprises a main portion (50) that is formed integral with a cylindrical spacer member (42) protruding radially beyond and contiguous to the hinge pin where in the first position the a portion of the spacer engages the corner and in the second position is no longer engaged with the corner as seen in Fig. 1.

As to claims 6-10, the hinge recess includes an orthogonal surface (30) and an interior planar surface (facing relationship with the hinge arm 40) of protrusion (26) as guide surfaces and the corner is a groove or slot (32) defined by the guide surfaces against which the hinge arm is seated in the first position. Further, within the hinge recess is disposed an orthogonal end surface (24) where the hinge hole (28) is disposed.

Claims 1, 6, 7 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,942,271 to Corsi et al. Corsi et al (Figs. 1-5) discloses an electrical closure comprising a hinge arm (12) having a hinge pin (50) at an end thereof; and a hinge recess (10) including a hinge hole (defined by the U-shaped opening of shank portion 22) for receiving the hinge pin and having a corner (36, 38) for guiding the hinge arm to a first position (Fig. 4) at which the hinge arm is seated in the corner and from which the hinge arm is slidable relative to the hinge recess along the corner towards a second position, where in the second position the hinge pin is inserted in the hinge hole while unseating the hinge arm from the corner (Fig. 5); and wherein the end of the hinge pin has a chamfer (54) and the hinge hole is arranged relative to the corner such that, during movement from the first position to the second position, the chamfer guides the hinge arm out of seated engagement with the corner of the recess.

As to claims 6 and 7 the hinge recess includes curvilinear guide surfaces (30, 32, 34) and the corner is a groove defined by the guide surfaces against which the hinge arm is seated when

in the first position. The hinge recess further includes an end surface (14) where the hinge hole is disposed at an end opposite the groove.

### **Response to Applicant's Arguments**

Applicant's arguments filed in Amendment B on July 31, 2003 have been fully considered but they are not persuasive. In response to applicant's remarks on pages 4-7 of the above amendment that the prior art relied upon does not disclose or suggest the limitations of applicant's amended claims 1-12, Flitz and Corsi et al has been cited which anticipates applicant's claims. Accordingly, claims 1-12 are rejected.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 3677

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (10 am - 6 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703) 308-3179. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1018.

André L. Jackson  
Patent Examiner  
AU 3677

ALJ



Anthony Knight  
Supervisory Patent Examiner  
Group 3600